

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

1. TIM KIRK and )  
2. TRACY KIRK, )  
Individually and as Husband and wife, )  
Plaintiffs, )  
v. ) CASE NO.  
3. CATLIN SPECIALITY INSURANCE )  
COMPANY, a foreign insurance )  
Corporation, )  
Defendant. )

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §1446 and LCvR 81.2, Defendant, Catlin Specialty Insurance Company ("Catlin"), hereby files this Notice of Removal. In support of this Notice of Removal, Catlin states as follows:

1. Plaintiffs brought an action against Catlin in Case No. CJ-2018-740 filed in the District Court of Tulsa County, State of Oklahoma styled *Tim Kirk and Tracy Kirk, Individually and as Husband and Wife, Plaintiffs v. Catlin Specialty Insurance Company, a Foreign Insurance Corporation, Defendant.*"
2. Plaintiffs' Petition was filed on February 20, 2018. Service of Summons was accomplished on Catlin on March 15, 2018.
3. The Petition filed by Plaintiffs alleges the value of the Plaintiffs' claims exceeds \$75,000.00, and the amount necessary for removal to Federal Court.

4. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §1332, and the case is one which may be removed to this Court by Catlin pursuant to the provisions of 28 U.S.C. §1441. Complete diversity of citizenship exists between Plaintiffs and Defendant. Plaintiffs are citizens and residents of the State of Oklahoma. Defendant Catlin is a foreign corporation with its principal place of business located in New York.

5. Removal is appropriate in this matter because complete diversity exists between Plaintiffs and the Defendant, and the Plaintiffs seek an amount greater than \$75,000.00, as required by 28 U.S.C. §1332.

6. This Notice of Removal is timely filed under the provisions of 28 U.S.C. §1446(b), in that it is filed within the time limits required by the Federal Rules of Civil Procedure. Service was accomplished by serving Catlin on March 15, 2018.

7. Pursuant to 28 U.S.C. §1446 and LCvR 81.2, copies of all process, pleadings served upon Catlin, the filings of the parties, together with a copy of the docket sheet from the Tulsa County District Court, are attached hereto as Exhibits "1" through "5".

8. Catlin states that no motions are pending before the State Court at the time of removal.

9. Contemporaneously with this filing, Catlin will file a Notice of Filing Notice of Removal on Plaintiffs' counsel and the Court Clerk of the District Court of Tulsa County, Oklahoma.

WHEREFORE, premises considered, Catlin Specialty Insurance Corporation respectfully requests that this Court remove the instant case from the District Court of Tulsa County, State of Oklahoma, to the District Court of the United States for the Northern District of Oklahoma.



---

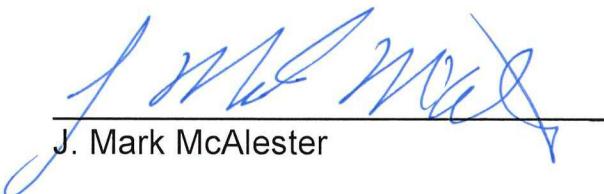
J. Mark McAlester, OBA #18104  
FENTON, FENTON, SMITH, RENEAU & MOON  
211 N. Robinson, Suite 800N  
Oklahoma City, OK 73102  
Phone: 405.235.4671/Fax: 405.235.5247  
E-mail: [jmmcalester@fentonlaw.com](mailto:jmmcalester@fentonlaw.com)  
Email: [msmcmillin@fentonlaw.com](mailto:msmcmillin@fentonlaw.com)  
**ATTORNEYS FOR DEFENDANTS,  
CATLIN SPECIALTY INSURANCE  
CORPORATION**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of March, 2018, a true and correct copy of the above and foregoing document was electronically transmitted to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Joseph F. Bufogle, Sr.

jfbufoyle@msn.com



J. Mark McAlester